



S T A T E B A R O F M I C H I G A N

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September 29, 2009

Mr. Corbin Davis
Clerk of the Court
Michigan Supreme Court
925 W. Ottawa Street
Lansing, MI 48913

Re: Proposed Amendments to MCR 6.302
ADM File No. 2009-11

Dear Mr. Davis:

In response to the Michigan Supreme Court's Request for Comment concerning proposed changes to MCR 6.302(C)(1) Pleas of Guilty and Nolo Contendere, please be advised that the State Bar of Michigan Representative Assembly took up the matter at its meeting on September 17, 2009, in Dearborn, Michigan.

After thorough discussions related to the possible negative effect on docket management, attorney-client confidentiality, plea negotiations, and immigration representation, the Representative Assembly voted unanimously to oppose the proposed changes to MCR 6.302(C)(1), that would require all discussions regarding a defendant's plea take place in open court and be placed on the record, as proposed in ADM File No. 2009-11.

Thank you for this opportunity to comment on matters that effect the legal profession and the public. Please do not hesitate to contact us if you have any questions concerning the above.

Yours very truly,

Elizabeth M. Johnson, Chair
Representative Assembly

cc: Anne Boomer, Administrative Counsel
Michigan Supreme Court
Janet Welch, Executive Director
State Bar of Michigan